



Elk County Prison



P.O. BOX 448
COURTHOUSE
RIDGWAY, PA 15853-0448

July 27, 1994

PHONE: (814) 776-5342
FAX: (814) 776-5379
Warden: Paul Reardon
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AUG 1 1994
DOCKET FILE COPY ORIGINAL
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Andrew C. Barrett
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Mr. Barrett:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls would be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would

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also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

Futhermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the over whelming majority of Sheriffs are committed to requiring rates that are fair and resonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions--decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Rearick", with a stylized flourish at the end.

Paul Rearick, Warden
Elk County Prison
PO Box 448
Ridgway, PA 15853

THOMAS N. FAUST
SHERIFF

ARLINGTON COUNTY, VIRGINIA
OFFICE OF THE SHERIFF
COURTHOUSE
1400 N. COURTHOUSE ROAD, ROOM 214
ARLINGTON, VIRGINIA 22201
(703) 358-4460



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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 27, 1994

Honorable Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: Billed Party Preference; CC Docket No. 92-77

Dear Mr. Hundt:

It has come to my attention that the FCC is considering a proposal to route telephone calls via the carrier chosen by the party paying for the call, Billed Party Preference "BPP". As an administrator of a correctional facility, I have a great concern that approval of such a proposal will cause critical adverse effects by eliminating inmate phone service commissions and control features supplied by the phone service providers.

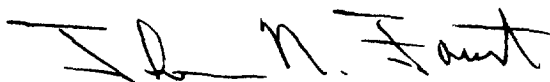
Like many correctional facilities, our's uses funds from phone service commissions to benefit the community by funding programs and services for incarcerated individuals. Educational and substance abuse programs, materials and equipment, and inmate pay for work programs will all be adversely affected or eliminated by losing this source of funding.

The present inmate phone systems also provide automated security which allows the inmate to access a telephone without the need for staff intervention to provide security. This represents a service to the community by allowing inmates a way to easily access their families (if the family member accepts the call) using the telephone. Prior to using an automated inmate phone system in our facility, inmate use of a telephone was limited to only one personal call per week due to the burden of staff having to dial a number for an inmate. Since using an automated inmate phone system, my staff have had more time to perform important safety and security functions.

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Please accept this letter as a plea to not approve the Billed Party Preference proposal. The modern day automated inmate phone systems are very important to successful operations in a correctional facility.

Sincerely,

A handwritten signature in black ink, appearing to read "T. N. Faust". The signature is written in a cursive, somewhat stylized manner with a horizontal line extending from the left.

Thomas N. Faust
Sheriff

cc: Honorable James H. Quello
Honorable Andrew C. Barrett ✓
Honorable Rachelle B. Chong
Honorable Susan Ness



GASTON COUNTY

DOCKET FILE COPY ORIGINAL
SHERIFF'S DEPARTMENT

P. O. Box 1578 - Gastonia, North Carolina 28052 - Phone (704) 866-3160

LEROY RUSSELL
Sheriff

June 25, 1994

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Andrew C. Barrett
Federal Communications Commission
1919 N Street, N.W.
Washington, D.C. 20554

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear **Honorable Barrett**,

I am opposed to the application of Billed Party Preference (BPP) at inmate facilities.

I have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom I have a contractual relationship. I cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

I have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that I am under, I cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for my staff to manage inmates.

Furthermore, I am sensitive to the rates inmate families pay for calls. I fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. I do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed I believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

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August 1, 1994

The Honorable Andrew C. Barrett
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

RECEIVED

AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Commissioner Andrew C. Barrett:

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In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,


Name/Title Director

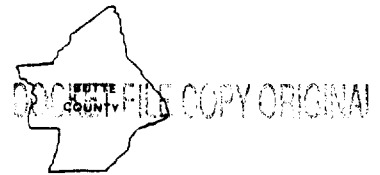
Anderson County Detention Center
Name of Correctional Facility

1009 County Home Road
Address
Anderson, SC 29625

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BUTTE COUNTY SHERIFF'S DEPARTMENT



MICK GREY
Sheriff/Coroner
July 25, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

**The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554**

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at our inmate correctional facilities.

We have analyzed the security and administration needs at our facilities and have found it to be necessary to route inmate phone calls from our facility to a single carrier, Corrections TeleCom Group, Inc., that is equipped to handle inmate calls and with whom we have a contractual relationship. We are sensitive to the rates inmate families pay for calls and fully appreciate the FCC's concern if some jail administrators do not take responsibility for protecting inmate families from abusive rates. Our prior and current contract specifies that our contractual carrier shall "...maintain at all times, collect call or person-to-person rates which clone the tariffed Bell and AT&T rates for said calls, and to conform to all standard telecom practices and guidelines set by the FCC, California Public Utility Commission and any other applicable state or federal laws."

For security reasons and the prevention of crime we cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPOP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

BPP will eliminate our ability through contractual agreement to control costs through contractual agreements for the supply, maintenance and repair of inmate phone equipment. Additionally, BPP will eliminate the ability to provided free (no cost to inmates or their families) phone calls between inmates and their respective attorneys, parole and probation officers, children protective services and the County Clerk's Office.

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Page 2

The Honorable Reed E. Hundt, Chairman

July 25, 1994

Furthermore, BPP would eliminate the revenue source that finances our inmate phone and severely impact the financing of inmate programs such as health education, high school diploma and GED education programs. We, as well as many other jurisdictions, are under a local consent decree, federal court order and state regulations to provide these types of programs to inmates. Given the constant budgetary constraints we are under, we cannot afford to provide these programs or this phone equipment without the help of the inmate phone service providers.

We urge you to not to adopt regulations that interfere with our administrative and security decisions - decisions that are clearly within our discretion and which we have a public responsibility to make.

Very truly yours,

**Mick Grey
Sheriff-Coroner**

by:

**Daniel T. Young, Assistant Sheriff
Corrections**

DTY:hw

**cc: The Honorable James H. Quello
The Honorable Rachelle B. Chong
The Honorable Andrew C. Barrett
The Honorable Susan Ness**

Sheriff



MEMBER
FLORIDA SHERIFF'S ASSOCIATION
NATIONAL SHERIFF'S ASSOCIATION

C. M. "Charlie" Croft

OSCEOLA COUNTY
400 SIMPSON ROAD
KISSIMMEE, FLORIDA 34744-4455

TELEPHONE

(407) 348-2222

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 25, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M. Street, N.W.
Washington, D.C. 20554

Re: CC Docket NO 92-77 Opposition to Billed Party Preference

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Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution of this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

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Respectfully Submitted,



Captain Linda Cumbe
Osceola County Correctional Facility
400 Simpson Road
Kissimmee, FL. 34744

cc: The Honorable James H. Quello
The Honorable Rachelle B. Chong
The Honorable Andrew C. Barrett
The Honorable Susan Ness

Nelson Sigoloff
8410 Tiffany Dr.
San Antonio, TX 78230

July 20, 1994

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The Honorable Andrew Barrett
Federal Communications Commission
1919 M Street NW
Washington DC 20554

AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Dear Representative Barrett:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

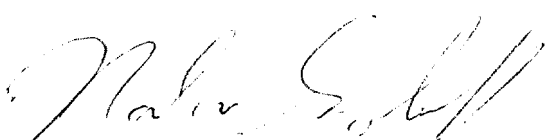
Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,



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DOCKET FILE COPY ORIGINAL
Francisca Arredondo
346 Jennings Ave.
S.A. Tx 78225

July 20, 1994

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The Honorable Andrew Barrett
Federal Communications Commission
1919 M Street NW
Washington DC 20554

AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Dear Representative Barrett:

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I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,

Francisca R. Arredondo

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RIVERSIDE COUNTY

COIS BYRD, SHERIFF



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Sheriff

P.O. BOX 512 • RIVERSIDE, CALIFORNIA 92502 • (909) 275-2400

July 19 1994
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'AUG 1 1994'

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: Billed Party Preference; CC Docket Number 92-77

Dear Commissioner Hundt:

As a Chief Deputy of the Riverside County Sheriff's Department and the Jail Administrator of all corrections facilities within Riverside County, I am requesting that the Federal Communications Commission exclude local jails from the proposed "billed party preference" system for 0+ Inter LATA payphone traffic rules.

While there may be ways to prevent fraud under B.P.P., we would be losing our ability to closely monitor phone calls during investigations and would likely lose our ability to quickly block calls to protect victims and witnesses from intimidation and family and friends from unwanted calls and harassment. These issues are very important to me and the citizens of Riverside County.

Eliminating the 0+ commissions received currently would have the effect of creating a host of unfunded mandates. California jails have Inmate Welfare Funds which are by law to provide for programs, services and facilities for inmates. Telephone commissions are the primary, in some cases sole, source of revenue for the Inmate Welfare Fund. Many of these programs and services are now mandated by law and the courts, primarily the Federal courts. Elimination of commission revenues would force jails to tap already strapped budgets to fund these mandates.

The services and programs provided by the Inmate Welfare Fund includes Adult Education, GED programs, basic literacy training, job training, substance abuse, parenting, family counseling, religious services and many more. Even basics such as supplying indigent inmates with personal hygiene supplies and letter writing material are provided for by this fund.

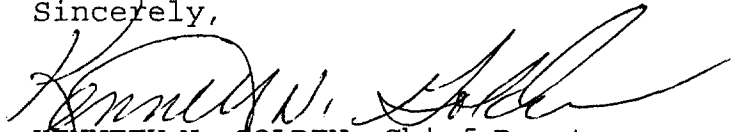
These programs would cease, or have to be funded with tax dollars. Riverside County, as are most counties, is in difficult fiscal times, which simply means there are no tax dollars available.

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Letter to Commissioner Hundt
July 19, 1994
Page 2

Before you make any decision, please stop and listen to the thousands of local jails, on behalf of their productive inmate programs, that will be dramatically impacted by your failure to exclude them from the B.P.P. System. Every State has different laws governing its jails. I can only speak for our California law and under them, failure to exclude jails would be devastating.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kenneth N. Golden", with a stylized, flowing script.

KENNETH N. GOLDEN, Chief Deputy
Corrections Division

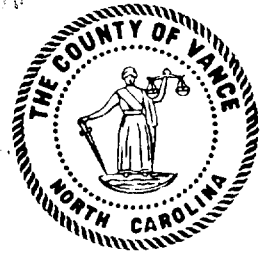
KNG:jb

cc: The Honorable Susan Ness
cc: The Honorable Rachelle B. Chong
cc: The Honorable Andrew C. Barrett
cc: The Honorable James H. Quello



VANCE COUNTY JAIL
516 Breckenridge Street
Henderson, North Carolina 27536
(919) 438-3923

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

R. THOMAS BREEDLOVE

July 25, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We at the Vance County Jail are concerned about the proposed BPP for long distance telephone calls. There are three (3) particular areas that will be affected to our detriment, namely:

1. We will lose blocking control of our inmate phone calls.
2. We will lose a revenue stream and the inmate family phone cost could go up.
3. The potential for fraud will creep back into the system.

Along with these major concerns, we also see a problem with who is going to pay for all this?

We eagerly oppose the BPP and encourage the FCC to do the same.

Thank you,

Charles S. Hawley
Jail Administrator
Vance County Jail
516 Breckenridge Street
Henderson, NC 27536

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cc: The Honorable James H. Quello
The Honorable Rachelle B. Chong
The Honorable Andrew C. Barrett

The Honorable Susan Ness
Senator Jessie Helms
Senator Lauch Faircloth

834 Spring Park
San Antonio, Tx.

78227

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July 20, 1994

AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Andrew Barrett
Federal Communications Commission
1919 M Street NW
Washington DC 20554

Dear Representative Barrett:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

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I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,

Steven Perez
Steve Perez

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List ABCDE

1

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

July 20, 1994

The Honorable Andrew Barrett
Federal Communications Commission
1919 M Street NW
Washington DC 20554

Lee Triplett
502 Olney Drive
San Antonio, TX 78209

Dear Representative Barrett:

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Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,

Lee Triplett

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 20, 1994

The Honorable Andrew Barrett
Federal Communications Commission
1919 M Street NW
Washington DC 20554

Dear Representative Barrett:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

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I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,


Roland S. BergNo. of Copies rec'd _____
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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF LEGAL COUNSEL

Paula Rhodes
6100 N W 410
SA Ex 78238

July 20, 1994

The Honorable Andrew Barrett
Federal Communications Commission
1919 M Street NW
Washington DC 20554

Dear Representative Barrett:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

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I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely, *Paula Rhodes*

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PASSAIC COUNTY SHERIFF'S DEPARTMENT
PUBLIC SAFETY COMPLEX

11 MARSHALL ST.
PATERSON, N.J. 07510

EDWIN ENGLEHARDT
SHERIFF

JOHN BONAZZI
CURTIS TAYLOR
R.J. ANDREANO
UNDERSHERIFF'S

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FELIX GARCIA
DEPUTY WARDEN
GERARDO TORRES
WARDEN



08/01/94

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

THE HONORABLE REED E. HUNDT, CHAIRMAN
FEDERAL COMMUNICATION COMMISSION
1919 M STREET NW
WASHINGTON, D.C. 20554

RE: CC DOCKET NO 92-77 OPPOSITION TO BILLED PARTY PREFERENCE

DEAR CHAIRMAN HUNDT:

WE ARE OPPOSED TO THE APPLICATION OF BILLED PARTY PREFERENCE
(BPP) AT INMATE FACILITIES.

WE HAVE ANALYZED THE SECURITY AND ADMINISTRATION NEEDS AT OUR FACILITY AND HAVE FOUND IT TO BE NECESSARY TO ROUTE INMATE CALLS FROM OUR FACILITY TO A SINGLE CARRIER THAT IS EQUIPPED TO HANDLE INMATE CALLS AND WITH WHOM WE HAVE A CONTRACTUAL RELATIONSHIP. WE CANNOT ALLOW INMATES TO HAVE OPEN ACCESS TO THE TELECOMMUNICATIONS NETWORK AND THE FREEDOM TO USE ANY CARRIER THEY PLEASE. BPP WILL TAKE AWAY OUR RIGHT TO COORDINATE INMATE CALLS THROUGH A CARRIER WE KNOW AND TRUST. INSTEAD, INMATE CALLS WILL BE ROUTED TO A NUMBER OF DIFFERENT CARRIERS, NONE OF WHOM WILL HAVE ANY OBLIGATION TO US, AND FEW THAT WILL BE TRAINED TO HANDLE INMATE CALLS.

WE HAVE ALSO FOUND IT NECESSARY TO INSTALL PHONE EQUIPMENT THAT IS SPECIFICALLY DESIGNED FOR INMATE CALLS. THIS EQUIPMENT HELPS PREVENT FRAUD, ABUSIVE CALLS, AND OTHER CRIMINAL ACTIVITY OVER THE TELEPHONE NETWORK. GIVEN THE CONSTANT BUDGETARY CONSTRAINTS THAT WE ARE UNDER, WE CANNOT AFFORD TO PROVIDE THIS EQUIPMENT WITHOUT THE HELP OF INMATE PHONE SERVICE PROVIDERS. BPP WOULD ALSO ELIMINATE THE REVENUE STREAM THAT FINANCES OUR INMATE PHONES. IF BPP IS APPLIED TO INMATE FACILITIES, THERE WILL BE NO WAY FOR US TO FINANCE THESE PHONES, NOR WILL THERE BE INMATE PHONE SERVICE PROVIDERS TO ASSIST US. WITHOUT INMATE PHONES, THE MORALE OF OUR INMATES WILL BE DEVASTATED. THE RESULTING INCREASE IN TENSION WILL MAKE IT MORE DIFFICULT FOR OUR STAFF TO MANAGE INMATES.

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THE HONORABLE REED E. HUNDT, CHAIRMAN

PAGE # 2

RE: CC DOCKET NO. 92-77 OPPOSITION TO BILLED PARTY PREFERENCE

FURTHERMORE, WE ARE SENSITIVE TO THE RATES INMATE FAMILIES PAY FOR CALLS. WE FULLY APPRECIATE THE FCC'S CONCERN IF SOME SHERIFFS DO NOT TAKE RESPONSIBILITY FOR PROTECTING INMATE FAMILIES FROM ABUSIVE RATES. WE DO NOT AGREE WITH THE FCC THAT THE SOLUTION FOR THIS LACK OF RESPONSIBILITY IS BPP. THE PROPER AND MORE EFFECTIVE ACTION WOULD BE TO ADOPT RATE CEILINGS ON INMATE CALLS AND THEN LET SHERIFFS ENFORCE THESE RATE CEILINGS THROUGH THEIR CONTRACTS. INDEED WE BELIEVE THE OVERWHELMING MAJORITY OF SHERIFFS ARE COMMITTED TO REQUIRING RATES THAT ARE FAIR AND REASONABLE.

IN SHORT BPP WOULD TAKE AWAY OUR ABILITY TO EMPLOY IMPORTANT SECURITY AND ADMINISTRATIVE MEASURES THAT WE HAVE FOUND TO BE NECESSARY AT OUR FACILITY, ULTIMATELY REDUCING INMATE PHONE AVAILABILITY, WHICH IN TURN DECREASES THE EFFICIENCY OF OUR STAFF. WE URGE YOU TO NOT ADOPT REGULATIONS THAT INTERFERE WITH OUR ADMINISTRATIVE AND SECURITY DECISIONS--DECISIONS THAT ARE CLEARLY WITHIN OUR DISCRETION AND WHICH WE HAVE A PUBLIC RESPONSIBILITY TO MAKE.

RESPECTFULLY SUBMITTED,

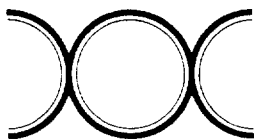
Yvonne M. Torrey Warden
NAME/TITLE

Lebanon County Jail
NAME OF CORRECTIONAL FACILITY

11 Sheriff's Plaza
ADDRESS

PO Box NJ 07502

Minnesota
Department of
Corrections



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Office of the Commissioner

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 25, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street Northwest
Washington, D.C. 20554

Dear Chairman Hundt:

The Minnesota Department of Corrections offers the following comments regarding Billed Party Preference -- CC Docket No. 92-77.

This issue is of great concern to this agency as it relates to inmate phone systems in our correctional facilities. Currently we have 4381 inmates in ten correctional facilities throughout the state. Of this total, 95 percent are in facilities where they now have access to inmate phone systems or which currently have bids out for such systems.

Inmate phone systems are very crucial to the safe and efficient operation of our correctional facilities. Using these systems, it is possible to limit prisoners' calls to only certain authorized telephone numbers or to restrict them from calling certain prohibited numbers. Without such control, prisoners would be able to harass judges, jurors, witnesses and victims, and would be able to conduct illegal business while still confined to prison.

The systems we have installed operate at no cost to the state because the vendor receives a profit on the local and long distance charges paid by the prisoners. In fact, the vendor actually returns a portion of the profit to the state, which is now about \$450,000 per year. This money is used to provide social welfare and athletic activities for prisoners which otherwise would have to be paid for with state tax revenues. In Minnesota, as in every other state, these tax revenues are extremely short.

If Billed Party Preference were an option in inmate phone systems, vendors providing these systems would stand to lose their long distance revenues, and thus would decline to continue providing these systems. It would then be necessary to revert to previous practices which required prison guards to arrange for and monitor prisoners' calls. This system used prison staff that we simply do not have available in light of the ever-increasing inmate population.

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Honorable Reed E. Hundt
July 25, 1994
Page two

There is also an actual benefit for the prisoner who makes legitimate use of telephone calling privileges because the telephone is much more available using the inmate calling systems than when prison guards arrange and monitor the calls. Naturally, the prisoner making illegitimate use would prefer the old guard-handled system.

In summary, I urge the Federal Communications Commission to exempt inmate phone systems in correctional facilities from Billed Party Preference. It is not my intent to suggest how the commission should rule on this issue in other applications, but only in the case of inmate phone systems.

Thank you for your attention to the concerns of the State of Minnesota. I appreciate your soliciting comments on this crucial issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank W. Wood".

Frank W. Wood
Commissioner

FWW:sb

cc Commission members:

Honorable James H. Quello
Honorable Andrew C. Barrett
Honorable Rachelle B. Chong
Honorable Susan Ness

L. Wayne Middleton, Sheriff

Phone: 804-580-5221
Fax: 804-580-5723



Northumberland County

July 22, 1994

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P. O. Box 310
Heathsville, Virginia 22473

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

RE: CC Dockett No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

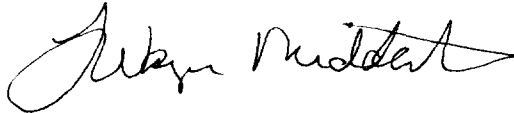
Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of

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of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions - decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. Wayne Middleton", with a stylized, flowing script.

L. Wayne Middleton
Sheriff

Northumberland County Sheriff's Office
P.O. Box 310
Heathsville, Va. 22473

LWM/vca

cc: The Honorable James H. Quello
The Honorable Rachelle B. Chong
The Honorable Andrew C. Barrett
The Honorable Susan Ness